

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-13 are pending. Claims 1 and 4-6 are amended; and new Claims 13-20 are added by the present amendment. Amended Claims 1 and 4-6, and new Claims 13-20 find support in the original specification, claims and drawings.¹ Therefore, no new matter is added.

In the outstanding Office Action, Claims 4-6 were rejected under 35 U.S.C. 102(e) over Hunt et al. (US 2003/0013452 A1); and Claims 1-3 and 7-12 were allowed.

Applicants acknowledge with appreciation the indication of allowable subject matter recited in Claims 1-3 and 7-12.

In response to the rejections of Claims 4-6 under 35 U.S.C. 102(e), Applicants respectfully request reconsideration of the these rejections as discussed next.

Briefly summarizing, Claim 4 is directed to a receiving radio station. The receiving radio station is configured to receive signals from a sending radio station. The receiving station includes a simultaneous reception controller configured to simultaneously receive signals of a plurality of carrier frequency bands and demodulate the signals. The receiving station further includes *a synchronization requestor configured to request symbol synchronization to a sending radio station*. As explained in the specification at paragraph 0026 and 0027, a request for symbol synchronization is received from the receiving radio station by the sending radio station, and is used to derive symbol sending timing.

¹ All paragraph numbers refer to the paragraph numbering used in the publication of this application. Claim 1 is amended to address a minor informality only. Claim 4 is amended to recite a synchronization request means, described in the specification in par. 0026 and 0027. Claims 5 and 6 are amended to address matters of form only. New Claim 13 recites a feature which finds non-limiting support in the disclosure as originally filed, for example in Figures 3 and 6 as element 18, and in paragraphs 0069, 0074, and 0076. New Claims 14-20 are drafted to avoid interpretation under 35 U.S.C. 112, sixth paragraph, and recite the subject matter recited by Claims 1-3 and 7-10 respectively.

Turning now to the applied reference, Hunt describes hierarchical cellular radio communication system. This communication system provides an alternative to a “soft handover” and describes an approach using different cell types to handle control data and user data. However, Hunt fails to teach or suggest a receiving radio station with a ***synchronization requestor configured to request symbol synchronization to a sending radio station***. On the contrary, Hunt describes a “Mobile Station”, (Hunt, Fig. 2, element 110; par. 0023, 0024, 0029) in high level terms, without teaching or suggesting all the elements required by Claim 4. Therefore, the applied reference fails to teach or suggest every feature recited in Applicants’ claims, so that Claim 4 is patentably distinct over the applied reference. Accordingly, Applicants respectfully submit Claim 4 is allowable. Claims 5, 6 and 13 depend from Claim 4, and by virtue of dependency are also allowable. Thus, Applicants respectfully request the rejections of Claims 4-6 under 35 U.S.C. 102(e) be withdrawn.

In order to vary the scope of protection recited in the claims, new Claims 13-20 are added. Claim 13 finds non-limiting support in the disclosure as originally filed. Claim 13 depends from Claim 4, and by virtue of dependency is allowable. New Claims 14, 15, 16, 17, 18, 19, and 20 are drafted to avoid interpretation under 35 U.S.C. sixth paragraph, but recite subject matter recited in Claims 1, 2, 3, 7, 8, 9, and 10 respectively. Because Claims 1-3, and 7-10 were indicated as allowable, Applicants submit that Claims 14-20 are also allowable.

Consequently, in view of the present amendment, Applicants respectfully submit that the present application is in condition for allowance, and an early action favorable to that effect is earnestly solicited. Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

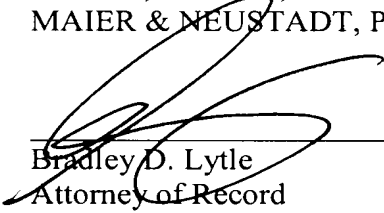
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 03/06)



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Andrew T. Harry
Registration No. 56,959

I:\ATTY\GSD\24s\248362US\248362US-AM_DUE_4.2.08.DOC